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07/754,465 09/03/91 GHALY N

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HARRISON, J

3304

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04/29/92

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-47 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims 41 are allowed.
4. Claims 1-40 and 42-46 are rejected.
5. Claims _____ are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

4/14/92
PTO-326 (Rev. 9-89)

EXAMINER'S ACTION

Serial No. 754,465

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Art Unit 3304

Claims 1-40 and 42-47 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Use of the term "box" in claims 1, 21 and 40 is vague as it is unconnected to the other structure as well as being non-descriptive. "A housing" or "for housing the device", or the like language is suggested. In claims 17 and ²³ ~~23~~, ^{8m} the language should be placed in means plus function format for the functions to be limiting and defined. In claim 40, "N" should be defined (i.e. "wherein N represents an integer and $N > 1$ " or the like). Claim 42 is not in proper method form. No steps for carrying out the method are recited. Further the claim is confusing and not understood as to what is being defined. A routing method for what?

Method claims should set forth all and only that structure required for carrying out the method in the claim preamble and the clearly list the steps of the method in the claim body. Mathematical algorithms are considered non-statutory subject matter and are not patentable.

Claims 43-47 are in improper format in that they attempt to combine an apparatus claim and a method claim. If applicant intends to incorporate the functions/method of claim 42 into the apparatus claims, they should be written out completely in means plus function form and dependent from the independent claim only.

Art Unit 3304

Claim 41 is allowable over the prior art of record.

Claims 1-40 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

Claims 42-47 appear to encompass allowable subject matter.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited art is the closest of which the examiner is presently aware.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Any inquiry concerning this communication should be directed to J. Harrison at telephone number (703) 308-2217.

4/29/92

J. Harrison/pw
April 21, 1992

J. Harrison

JESSICA HARRISON